

**CHARTER REVIEW COMMISSION**  
**Wednesday, May 13, 2009**  
**6th Floor Conference Room**  
**Council Office Building**

**Commission Members Present:**

Nancy Soreng, Chair  
Alice Gresham Bullock, Vice-Chair  
Michael Cogan  
Karen Czapanskiy  
Wilbur Friedman  
Mollie Habermeier  
Robert Shoenberg  
Moshe Starkman  
Judith Vandegriff  
Anne Marie Vassallo  
Charles Wolff

**Staff:**

Mike Faden, County Council  
Justina Ferber, County Council  
Marc Hansen, County Attorney's Office  
Marie Jean-Paul, County Council  
Amanda Mihill, County Council  
Glenn Orlin, County Council

**Guests:**

Councilmember Marc Elrich  
Councilmember Duchy Trachtenberg  
Dale Tibbits, Office of Councilmember Elrich

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Commission Chair Nancy Soreng began the meeting at 8:05 a.m.

**I. Meeting with Councilmember Marc Elrich**

The Commission met with Councilmember Elrich to discuss Mr. Elrich's proposal for a County bus rapid transit system. Mr. Elrich estimated that it would cost \$1 to \$1.5 billion to build this system, but noted that it is difficult to find creative financing mechanisms to use without running afoul of the property tax limit in Charter §305. Councilmember Elrich noted that flexibility in financing projects is important.

Councilmember Elrich described his vision for a bus rapid transit system, noting that the only way people can get across the county is by car and that the least expensive way to move people is by a BRT system. Because the project would be expensive, it is unlikely to be done in the County's Capital Improvements Program. Councilmember Elrich floated the following ideas to provide funding for a BRT system:

- Charging different commercial and residential property tax rates and dedicating the extra commercial tax revenue to transportation projects. Councilmember Elrich noted that Northern Virginia charges different tax rates, but stated that the County is prevented from doing so by state law.
- Establish a special taxing district approximately ¼ or ½ mile around each proposed station. Councilmember Elrich noted that this option would have a minimal impact in terms of rate, but would be able to fund a large project.
- Establish a development district, which may be problematic to apply in this situation

Councilmember Elrich expressed support for the concept of removing special taxing districts from the Charter §305 property tax limit because it would provide the County with flexibility in funding projects

and the revenue will go to a dedicated purpose. Special taxing districts are limited in geographic scope and do not affect all property taxpayers.

## **II. Meeting with Councilmember Duchy Trachtenberg**

The Commission met with Councilmember Trachtenberg to discuss her and the Council's views on the issues of whether to exclude certain special taxing districts from the §305 property tax limit and alternatives to tying the property tax limit to the rate of inflation. Councilmember Trachtenberg noted that given where the County is financially, there is a recognition that creative fiscal planning tools are necessary to support infrastructure. Ms. Trachtenberg noted that the Council hasn't formulated a position on this issue and that there is mixed community opinion regarding special assessments and development districts. Ms. Trachtenberg argued that flexibility in financing is critical, but stated that one size does not fit all when it comes to these financing issues.

## **III. Open Discussion of Study Issues**

Commission members discussed potential alternatives to excluding special taxing districts from the Charter §305 provisions. Commission members generally agreed to invite Tim Firestine, the County Chief Administrative Officer, to the June meeting to discuss options to give the County flexibility for financing projects. In particular, the Commission would like Mr. Firestine to address the following questions:

A lot of people believe that there is a need to loosen Charter §305 to provide flexibility to finance projects. Keeping in mind the larger picture of the County's fiscal policy for the long term future, what options make sense? Options that have been discussed are removing certain special taxing districts from the §305 cap and removing the cap in general. In the absence of a cap, what would you suggest?

## **IV. Approval of April 8 minutes**

The Commission approved the April 8 minutes with the following amendment: replace the phrase "like the General Assembly" in the third full paragraph on page 2 with "similar to the General Assembly". Motion made by Wilbur Friedman and seconded by Karen Czapanskiy.

In favor: Alice Gresham Bullock, Michael Cogan, Karen Czapanskiy, Wilbur Friedman, Mollie Habermeier, Robert Shoenberg, Nancy Soreng, Moshe Starkman, Judith Vandegriff, Anne Marie Vassallo, Charles Wolff (11)

The meeting was adjourned at 9:35 a.m.